

## **REMARKS/ARGUMENTS**

### **Drawing Objections**

The Examiner objected to arrowheads and legends in the drawings. Revised formal drawings are enclosed.

In Fig. 1, unnecessary arrowheads and a legend are being deleted. The remaining arrowheads are submitted to be acceptable because they indicate either a distance (WD, L and D), or an area (TP and TDP).

In Figs. 2-4 unnecessary arrowheads and duplicate legends are being deleted, and other legends are being corrected. It is respectfully submitted that the remaining arrowheads should be permitted because they indicate areas, not specific points or structures. Further, it is respectfully requested that the remaining legends be approved by the Examiner for inclusion in the figures. The legends are helpful for understanding the invention, which is complex and subtle. The legends greatly improve the readability of the disclosure.

In Fig. 5, as well, minor revisions are being made to improve the form of the drawings.

The Examiner is respectfully requested to approve and enter the revised formal drawings.

### **Abstract**

The Examiner objected to the semicolons in the Abstract. The semicolons are being changed to periods.

### **Prior Art Rejections**

Claims 11-13 and 15-17 have been rejected as anticipated by the admitted prior art (APA). Reconsideration is requested.

In the APA system, it is first necessary to determine the absolute positions of two seabed transponders per array in each of the two arrays. [0014] Three pipe transponders are attached to the pipe and their exact positions are found. To know the exact coordinates of a pipe transponder requires the use of at least two seabed transponders. [0015] After determining the exact positions of the pipe transponders, it is then possible to determine the remaining length of flowline required to reach the target position by comparing the coordinates of the target position with the coordinates of the pipe transponders. [0016] Then the pipe can be cut.

In other words, the APA method is based on determining the exact positions (coordinates) of the pipe and seabed transponders for each pipe transponder, and is time-consuming. [0018]

In contrast, the invention of independent claims 11 and 15 is not based on and does not require determining any exact transponder positions, but more simply is based on relative distances between transponders.

The applicant has noted that independent claims 11 and 15 may be slightly unclear and this may have led to their being read by the Examiner on the background art. Non-limiting amendments are being made to these claims to clarify the claims so that the differences from the background art can be seen more readily. Thus, each of claims 11 and 15 now recites:

“determining from said respective distance  
separating said seabed transponder and said pipe

transponder, the remaining length of pipeline needed to reach the second position on the seabed.”

The recited method step is not performed and cannot be performed by the background art.

New claims 18 and 19 depend respectively from claims 11 and 15 and recite an additional patentable feature of the invention, namely: “wherein no more than one pipe transponder is installed on said pipeline in the installing step.”

Claims 12 and 16 depend respectively from claims 11 and 15 and recite that “the seabed transponder is arranged on the pipelay route centerline.” This feature too is not seen in the background art.

The methods of claims 11 and 15 are both simpler than the APA method, include steps and features that are not part of the APA method, and furthermore require less apparatus and less time.

The features of claims 13, 14 and 17 are neither disclosed nor suggested by the APA, for the reasons above, as well as because of the respective features recited in those claims.

For the foregoing reasons, claims 11-17 are neither disclosed nor suggested by the APA.

Claims 1-17 were rejected over the APA in view of Kolb. Reconsideration is requested.

To avoid unnecessary discussion, reference is made to the foregoing discussion of claims 11-17, which applies equally to claim 1. The APA neither discloses nor suggests the features of these claims for the reasons already stated. Kolb adds nothing. Kolb describes a system and method for controlling the position of a seagoing vessel. It has

nothing to do with a method for measuring or cutting an undersea pipe to length and discloses nothing relevant to the methods of claims 1, 11 and 15. Even if the references were combined, the claim limitations would not be met. The result would be a combination of the APA method of cutting a pipeline, plus the Kolb method of controlling a vessel. Kolb neither discloses nor suggests making any modifications to the APA pipeline cutting method.

The APA and Kolb cannot disclose or suggest, individually or in combination, the feature in claim 1 mentioned above in connection with claims 11 and 15, namely:

- interrogating said second seabed transponder and said pipe transponder to determine the respective distance between them; and
- comparing the established distance with the distance separating the first and second seabed transponders to calculate the remaining length of pipeline required to reach the second position,

Neither the APA nor Kolb can accomplish this step, which is central to the claimed invention.

Kolb discloses a method for controlling movement of a vessel by reference to "preplaced bottom mounted sonic marker beacons or transponders...." These hypothetical transponders are to be used for guiding a ship, not for measuring a pipeline length. Kolb has nothing to do with calculating a length of a pipeline, which is the invention of claim 1. Kolb further says nothing about where the hypothetical transponders are located; whether they are on the pipeline route centerline; whether they are laid out in some kind of array near the centerline; or whether they are arranged in some other speculative relationship to the centerline. Kolb simply teaches nothing about the claimed invention.

Regarding claims 2, 8 and 9, the Examiner admits that the APA and Kolb do not suggest these features. Allowance is therefore in order. Prior art rejections require evidence of the prior art. If it would have been obvious or routine for a skilled person to

modify the other prior art and obtain the inventions of these claims, evidence of the ordinary level of skill is required.

The Examiner says that the case of Ward Machinery Co. v. Wm. C. Staley Machinery Corp. makes prior art unnecessary with respect to these claims. In the Ward case, patent claims to box-making machinery were held to be invalid because the recited features were found to be similar to the prior art, although different in size, which in that context the court found to be an unpatentable difference. However, the Examiner has not explained any reason why the Ward case has anything to say about the features of claims 2, 8 and 9. There can be no argument that the dimensions recited in claims 2, 8 and 9 are mere trivial variations on corresponding dimensions in the prior art, because there are in fact no corresponding dimensions in the prior art. In the absence of prior art or an explanation of why claims 2, 8 and 9 are not entitled to examination for novelty and non-obviousness like any other claim, allowance is requested.

New claims 21-26 recite additional features related to the limited number of seabed transponders that are installed in carrying out the other recited method steps.

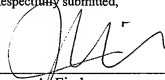
In view of the foregoing, allowance of claims 1-26 is requested.

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JAF:lf



Respectfully submitted,



James A. Finder

Registration No.: 30,173  
OSTROLENK, FABER, GERB & SOFFEN, LLP  
1180 Avenue of the Americas  
New York, New York 10036-8403  
Telephone: (212) 382-0700